

## REMARKS

The Application has been reviewed in light of the Final Office Action mailed October 19, 2007. At the time of the Final Office Action, Claims 1-6, 8-12, 14, 21-23, 25, 26, 30 and 31 were pending. Claims 1-6, 8-12, 14, 21-23, 25, 26, 30 and 31 were rejected. Claims 7, 13, 15-20, 24 and 27-29 were previously cancelled without prejudice or disclaimer. Claims 1, 8, 21, and 31 have been amended in the current response. Applicant respectfully requests reconsideration and favorable action in this case.

### Rejections under 35 U.S.C. § 102

Claims 1, 2, 4, 21, 22, 25, 26, 30 and 31 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by International Application No. WO 94/25369 by Svend Bertelsen (“Bertelsen”). Applicant respectfully traverses and submits the cited art does not teach all of the elements of the claimed embodiment of the invention.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “the identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicant respectfully submits that the art cited as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

### Claim 1 is Allowable Over Bertelsen

Independent Claim 1 as amended recites, among other limitations:

the at least eight detachable joints located around the perimeter of the breakaway packing system so that at least two of the at least eight detachable joints are located on four sides of the six sides of the information handling system when the top section and the bottom section are assembled; and

the packing support configured to expose all eight corners of the information handling system when the top section and the bottom section are assembled.

*Bertlesen* teaches neither at least eight detachable joints located around the perimeter of the breakaway packing system so that at least two of the at least eight detachable joints are located on four sides of the six sides of the information handling system when the top section and the bottom section are assembled nor the packing support configured to expose all eight corners of the information handling system when the top section and the bottom section are assembled.

Instead, as clearly depicted in FIGS. 1 and 2 of *Bertlesen*, the joints formed by the union of 7 and 8 to 107 and 108 are all aligned along one side of item G. In addition, all eight corners of item G are covered by the packing material of items 1 and 101. For at least these reasons, Claim 1 as amended is allowable over *Bertlesen*. Because Claims 2-6 depend from allowable Claim 1, they are likewise allowable.

Claim 21 is Allowable Over Bertlesen

Independent Claim 21 as amended recites, among other limitations:

at least one detachable joint is located adjacent the first side of the information handling system, at least one detachable joint is located adjacent the third side of the information handling system, and at least two detachable joints are located adjacent the fifth side of the information handling system; and

further comprising the first upper packing support and the first lower packing support configured to expose all four corners of the fifth side when the first upper packing support and the first lower packing support are joined.

*Bertlesen* teaches neither at least two detachable joints are located adjacent the fifth side of the information handling system nor the first upper packing support and the first lower

packing support configured to expose all four corners of the fifth side when the first upper packing support and the first lower packing support are joined.

Instead, as clearly depicted in FIGS. 1 and 2 of *Bertlesen*, the joints formed by the union of 7 and 8 to 107 and 108 are all aligned along one side of item G. In addition, all eight corners of item G are covered by the packing material of items 1 and 101. For at least these reasons, Claim 21 as amended is allowable over *Bertlesen*. Because Claims 22, 23, 25, 26, and 30 depend from allowable Claim 21, they are likewise allowable.

Claim 31 is Allowable Over Bertlesen

Independent Claim 31 as amended recites, among other limitations:

the first upper packing support configured to expose the first corner and the second corner of the information handling system; and

the first lower packing support configured to expose the third corner and the fourth corner of the information handling system.

*Bertlesen* teaches neither the first upper packing support configured to expose the first corner and the second corner of the information handling system nor the first lower packing support configured to expose the third corner and the fourth corner of the information handling system.

Instead, as clearly depicted in FIG. 3 of *Bertlesen*, all eight corners of item G are covered by the packing material of items 1 and 101. For at least these reasons, Claim 21 as amended is allowable over *Bertlesen*.

**Rejections under 35 U.S.C. §103**

Claims 3 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Bertelsen*. Claims 5 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Bertelsen*, as applied to claim 1 above, and further in view of UK Patent Application No. GB 2246115 A by Stephan Gale (“*Gale*”). Claims 8-10 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Prior Art Figure 1 of the instant application (hereinafter “*PA1*”) in view of *Bertelsen*. Claims 11 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Bertelsen*, as applied to claim 8 above, and further in view of *Gale*.

Applicant respectfully traverses and submits the cited art combinations, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

**Claim 8 is Allowable Over the Proposed PA1-Bertelsen Combination**

Independent Claim 8 as amended recites, among other limitations:

the at least eight detachable joints located around the perimeter of the chassis so that at least two of the at least eight detachable joints are located on four sides of the six sides of the chassis; and

the detachable container support configured to expose all eight corners of the chassis.

The proposed *PA1-Bertlesen* combination teaches neither at least eight detachable joints located around the perimeter of the chassis so that at least two of the at least eight detachable joints are located on four sides of the six sides of the chassis nor the detachable container support configured to expose all eight corners of the chassis.

First, *PA1* fails to teach, disclose, or suggest any detachable joints, much less their arrangement in relation to the chassis of the information handling system. Second, as clearly depicted in FIGS. 1 and 2 of *Bertlesen*, the joints formed by the union of 7 and 8 to 107 and 108 are all aligned along one side of item G.

In addition, *PA1* shows a packing system that will cover all eight corners of information handling system 9. According to *Bertlesen* all eight corners of item G are covered by the packing material of items 1 and 101.

For at least these reasons, Claim 8 as amended is allowable over the proposed *PA1-Bertlesen* combination. Because Claims 9-12 and 14 depend from allowable Claim 8, they are likewise allowable.

**Request for Continued Examination**

Applicants respectfully submit herewith a Request for Continued Examination (RCE) Transmittal and authorize the Commissioner to charge the filing fee of \$810.00 to Deposit Account No. 50-2148 of Baker Botts L.L.P.

ATTORNEY DOCKET  
016295.1559  
(DC-05989)

PATENT APPLICATION  
10/759,650

14

### CONCLUSION

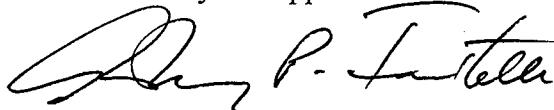
Applicant appreciates the Examiner's careful review of the Application. Applicant believes that this case is in condition for allowance. Applicant respectfully requests reconsideration and allowance of all pending claims.

Applicants authorize the Commissioner to charge \$810.00 for the RCE fee to Deposit Account No. 50-2148 of Baker Botts L.L.P.

Applicant believes there are no further fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2689.

Respectfully submitted,  
BAKER BOTT S L.L.P.  
Attorney for Applicant



Anthony P. Iannitelli  
Registration No. 55,291

Date: 19 Dec 2007

SEND CORRESPONDENCE TO:

BAKER BOTT S L.L.P.

CUSTOMER ACCOUNT NO. **23640**

512.322.2689

512.322.8383 (fax)